

Amendment No. 1 to HB2989

Fitzhugh  
Signature of Sponsor

**AMEND Senate Bill No. 2886**

**House Bill No. 2989\***

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 36, Part 2, is amended by adding the following language as a new section:

Section 8-36-212. Any member of the superseded judges' retirement system who fails, through error of the state, to receive a retirement benefit to which the member is entitled to under such retirement system shall be entitled to that member's retirement benefit plus interest thereon at the rate of five percent (5%) per annum, calculated on a monthly basis, from the date the payment should have been made through the date of payment. The provisions of the section shall only apply to benefits payable from April 1, 2008, to January 1, 2009. To receive such interest, the member shall file a written request for such interest with the retirement system by no later than December 31, 2010. Any member who fails to file the request by December 31, 2010 shall not later be eligible for such interest. This section shall cease to be effective on January 1, 2011.

SECTION 2. This act is subject to the funding being provided in the general appropriations act.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.